

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Armstrong on 07/21/2009.

The application has been amended as follows:

Claim 20 has been amended to recite:

Claim 20. A method for determining an increased risk of restenosis after coronary angioplasty in a human male subject, said method comprising:

(i) obtaining a biological sample from said human male subject, said biological sample comprising nucleic acids from said human male subject;

(ii) detecting in said nucleic acids: a C at position 3932 of SEQ ID NO: 1 in at least one allele of the apolipoprotein E gene; an A at position 197 of SEQ ID NO: 3 in at least one allele of the tumor necrosis factor- α gene; and a T at position 831 of SEQ ID NO: 4 in both alleles of the G-protein β 3 subunit gene; and

(iii) correlating a C at position 3932 of SEQ ID NO: 1 in at least one allele of the apolipoprotein E gene, an A at position 197 of SEQ ID NO: 3 in at least one allele of the tumor necrosis factor- α gene, and a T at position 831 of SEQ ID NO: 4 in both alleles of the G-protein β 3 subunit gene in said nucleic acids with an increased risk of restenosis after coronary angioplasty in said human male subject.

2. The following is an examiner's statement of reasons for allowance:

The objection to claim 20, as set forth on pages 2-3 of the Office Action of 02/04/2009, and the rejection of claims under 35 USC 101 as set forth on pages 3-6 of

Art Unit: 1634

the Office Action of 02/04/2009, are **WITHDRAWN** in light of the amendments to the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEPHEN KAPUSHOC whose telephone number is (571)272-3312. The examiner can normally be reached on Monday through Friday, from 8am until 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James (Doug) Schultz can be reached on 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen Kapushoc/
Primary Examiner, Art Unit 1634